

disaster placed on both these men by the railroad officials.

It is said that the engineer failed to heed a block signal which set a derailing switch. The Michigan Central train struck the switch and ploughed along for 300 feet before it stopped in front of the oncoming Central train.

The status of the tower man is not clear. It was said at first that he was to blame for permitting the Michigan Central train to attempt to cross before the west-bound express. The latter statements involving the engineer would tend to absolve the tower man.

Emergency telephone calls brought to the scene farmers from miles around. All four turned out and the dim light of lanterns began the work of removing the bodies. Many were mangled beyond recognition.

The residents of Porter opened their homes to the injured and the bodies of the dead were placed in the town hall until relief trains arrived from Chicago, Gary and Michigan City.

Three trains got to the scene about an hour later with doctors and nurses.

Passenger Tells of Wreck.

John H. Gelhart, an estimator, living in Oak Park, sent to Cleveland by Mayor Thompson to inspect cement houses, was on the New York Central train. He gave a graphic description of the wreck. He said:

"The first warning of the accident was when the train started to jar as the brakes were applied. The next moment bits of wreckage struck the windows and we had a terrible shock as our train tore through the wreckage.

"It was a sound made up of grinding steel and wood, crashes and a mounting shriek from those who were being killed and injured. When the train stopped every one picked himself up from where he was thrown. The air was vibrant with a concerted wail of agony.

"We crowded out of the cars as best we could and others who were most gruesome sight I ever witnessed. We could dimly make out the outlines of the wrecked train at each side and at the front of us.

Survivors Become Frantic.

"Every one was running around frantically, while flames and clouds of steam were shooting from the engines. The main complaint was of obtained axes from the cars and, armed with these, the passengers helped in the work of recovering the bodies.

"There was little we could do for the injured but we tried to make them comfortable until the rescue trains arrived."

Among the women on the New York Central train was Frances Kennedy, vaudeville actress, wife of Thomas Kennedy, a well-known actor. She aided in the care of the injured.

Several years ago an engineer on the Michigan Central passed the warning signals and drove a dead head engine into the cars of the Michigan Central. The wooden coaches of the Hagenback-Wallice circus train, killing more than twenty performers and workmen. This wreck occurred ten miles west of the crossing at Porter.

TROLLEY GUARDS ARE ARRESTED AFTER RIOT

Club Waterliet Crowd When Car Is Attacked.

Special Despatch to THE NEW YORK HERALD.

ALBANY, Feb. 27.—Six guards of the United Traction Company, who have been operating in connection with strike-breakers were arrested to-night by the Waterliet police after a riot that started when a car manned by strike-breakers was run through Waterliet on the way from Troy to Albany.

The guards accompanied the car in an automobile, and, according to the police, jumped from their machine and began to club a crowd that lined the street in Waterliet.

Soon after the arrests a protest was made to the traction company by the State police and Waterliet officials, and an hour later it was announced that the guards had been withdrawn by the company.

According to George P. Dutton, captain of the State police, the fact that the company was operating in Albany and Troy was not known to him until to-night, when he witnessed the rioting in Waterliet. Capt. Dutton declared that the State police were able to handle the situation without any outside interference.

300 TO BE LAID OFF IN TRENTON RAIL SHOPS

P. R. R. Announces Move Is Only Temporary.

TRENTON, N. J., Feb. 27.—Approximately 300 men, employees of the Pennsylvania Railroad shops here, have been notified that they will be temporarily laid off next Friday owing to the continued depression in railroad transportation business. The lay-off represents about one-half of the normal working force at the local shops.

It is believed the continued inroads of motor trucks into the business of railroad transportation is the cause of the conditions which necessitate the lay-off, though the move is in line with the policy of retrenchment which the company has been following.

The effect of the lay-off will be to suspend any benefits from the company's relief organization as long as the men are off the company's payroll, though it is announced that all will be returned to their status as beneficiaries as soon as they are returned to their employment. This is taken to mean, however, that any employment which is secured will be dropped as soon as the railroad offers them their former jobs, unless they choose to resign permanently benefits from the relief organization, to which many have contributed for years.

NEED \$10,000,000 FOR SAYLES ESTATE TAX

Executors Seek Permission to Borrow Money.

PROVIDENCE, Feb. 27.—Unable to raise \$10,000,000 with which to pay Federal taxes assessed against the estate of Frank A. Sayles, executors of the late Pawtucket miller's will have asked the General Assembly for special legislation empowering them to borrow the money.

"Sale of property to raise the money cannot be effected without the consent of the court, and the court is not disposed seriously affecting the conduct of what is held to be one of the largest textile concerns in the world.

The estate has already paid a State tax of more than \$1,000,000. Its total valuation is understood to be in the vicinity of \$70,000,000.

CABLE TO CUBA CONNECTED.

Harding Will Receive First Message as President.

HAVANA, Feb. 27.—The cable laying ship Stephen has finished its work of laying cables for telephonic and telegraphic communication between Cuba and the United States. It was said that preliminary tests of the cable have proved satisfactory and that it is proposed to inaugurate the service within three weeks.

The first official messages will be between the palace here and the White House in Washington. These will be of a congratulatory nature between President General and President Harding.

TRANSIT MEASURE AMENDED IN FARES

Continued from First Page.

sents therefore under Section 15 of Article 3 of the Constitution of the State." Additional change is made to insure exemption from taxation under the organization tax law and the mortgage tax law of railroads, which may be bought by the city. This provision is in the original bill, but the amendment is designed to prevent any other law, city or State, which would require this taxation from being applicable.

The introducers of the measure have also arranged the time of appointment for both commissions from thirty days to ninety days. This change is made so that pending rate cases before the State Public Service Commission and the State Public Service Commission as now existing may be disposed of by the men who heard them.

MANHATTAN'S PRESIDENT PUTS FIVE POINTS UP TO SPONSOR, SENATOR KNIGHT.

OPPOSES FARE CLAUSE WANTS RESTRICTION AGAINST RISE AND ON AGREEMENTS DEFINED CLEARLY.

COULD THEN SUPPORT IT GOVERNOR'S PLAN GENERALLY COMMENDED—HYLAN ADMINISTRATION CENSURED.

Henry H. Curran, President of the Borough of Manhattan, declared yesterday that he is in favor of Gov. Miller's transit bill for the solution of New York's travel problem provided certain amendments he suggests are made. Mr. Curran's amendments are five in number and he outlined them in a letter to Senator John Knight, one of the sponsors of the Miller bill, and asked that the amendments be adopted.

Mr. Curran was careful to make himself clear in the very beginning of his letter to the following effect:

"In stating my objections to the present form of your bill, I speak for myself as a citizen and as a city official, and not for or with Mayor Hylan. This city has witnessed for three years a useless contest in stubbornness and abuse between the city administration and the Borough of Manhattan. Neither party in this seemingly dispute has sought to relieve the sufferings of those who have to use our local transportation." On the contrary, he says, "this selfish war of words has made strap hangers of us all."

As for instance of Senator Hiram W. Johnson as special counsel for the Hylan administration, Mr. Curran said:

"We do not need the caprice performance of a transcontinental counsel, nor do we need the voice of an abrogation of home rule. The advent of the Senator from California is just an added indignity."

Mr. Curran said he is not opposed to Gov. Miller's bill, except in the details which he asks to have changed. "We need the commission that the bill creates," he said. "We need the investigation that the commission will conduct, and we need the remedy that is right, whatever it may be. Your bill provides for that, and in that endeavor I am with you. I am convinced, however, that you are going about it in the wrong way."

DRY TO BAR ALIEN IN COUNT FOR CONGRESS

Would Cut Representation From Larger Wet Districts.

Foreseeing an attempt in 1922 to elect a "wet" membership in Congress, William H. Anderson, State Superintendent of the Anti-Saloon League, announced yesterday that his organization has already begun its campaign for the exclusion of aliens from the count for representation in the Assembly.

The proposed Twentieth Amendment, when all amendments are made, said Mr. Anderson, would reduce New York's representation in the House of Representatives by six or seven, and other States with a large alien population also would suffer in this respect.

"This proposition will equalize to some extent the increase in proportionate representation in the Congress to be elected in 1922, of the cities where the political machines are," Mr. Anderson said.

"It will tend to insure future consideration by Congress of the prohibition enforcement issue on an American basis, free from alien domination," he said. "It will also tend to insure the cooperation of those who are not only not citizens but many of whom stand for the repeal of the prohibition law."

So far as this State is concerned, reduction of representation in the House would not be a great loss, the dry chief asserted, because "Tammany Congressmen are notorious for their absenteeism, and most of them have little ability or influence." Mr. Anderson said there was no valid objection to the proposed amendment because it merely requires that those admitted under the immigration laws shall embrace their opportunity of naturalization before they are represented in Congress.

TAXICAB CRUSHES INTO TROLLEY; THREE HURT

Passengers Thrown Out by Force of Impact.

A taxicab driven by Charles C. Donahue of 834 Eighth-street, Woodhaven, L. I., crashed into the side of a 145th street trolley car last night at 145th street and Edgecombe avenue, throwing the three passengers into the street. They were Edward Callahan, his wife Charlotte, and Michael Corcoran, of 548 East 183d street, the Bronx, all of whom were bruised about the arms and legs.

None of the passengers on the trolley car was hurt. Donahue told the police that he thought the trolley car was not going to stop, and that he saw it was too late for him to halt his machine.

TRADE BOARD STOPS SPONGE WEIGHTING

Forbids Use of Solution as 'Loading' Expedient.

WASHINGTON, Feb. 27.—To protect the sponge buying public, and incidentally to preserve "light as a sponge" as a figure of speech, the Federal Trade Commission has ordered a number of firms engaged in packing and selling sponges to refrain from increasing the weight of sponges by soaking them in solutions of salt, Epsom salts, glycerine, glucose, sugar or other substances.

The commission in announcing issuance of its order to-day said the practice of "loading" sponges grew up in the industry many years ago. It was brought to the Florida fisheries from abroad. The cost of "loading" amounts to twenty cents a pound and ultimately is borne by the consumer, the commission said.

SCHOOLS EXEMPT FROM TAX.

Justice Young Sets Aside Assessments at New Rochelle.

Motion to set aside the assessments upon religious institutions in New Rochelle have been granted by Supreme Court Justice Young at White Plains on the ground that they are exempt from taxation under the educational law.

They are the Ursuline convent of St. Teresa, which has more than 100 pupils, and the school of the Salesian Fathers. The convent was assessed for \$247,000 and the Salesians for \$92,000 for the years 1918 and 1919 on the ground that they profited from the students they had.

A test case was made over the assessments through writs of certiorari, ending finally in Justice Young's granting the motion put forth by William L. Moran, who acted for the religious bodies.

HAD \$14,000 IN SMALL CHANGE.

WILSON, N. C., Feb. 26.—With most of the sum in coins of 1, 5, 10 and 50 cent pieces, and with no bills larger than \$10, it was necessary to use a big tow sack in bringing to a bank \$14,000 found in the home here of Henry Morris, 80, and deposited in a local bank by G. G. Newburn, his guardian.

WHISKEY RAIDERS HAVE ONLY STARTED

Continued from First Page.

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JOB OPENINGS IN CALIFORNIA

California Senator Scents Harm in Second Excursion Into N. Y. Home Rule.

CITIZENS UNCOVER JOKER

Transit Committee Discovers Provision Disagreeing With Governor's Views.

Senator Hiram W. Johnson, the Hylan administration's special counsel in the transit fight, in the second installment of his comments on Gov. Miller's transit bill declared yesterday that despite impressions to the contrary the bill provides for the continuation of the so-called preferentials by which payment to the city of return upon its subway investment is deferred.

"The City Transit Committee, an independent organization composed of citizens interested in the transit situation, also issued a statement upon the same subject and charged that the preferentials are preserved by a joker in the bill," Senator Johnson said.

"Yesterday it was suggested," said Senator Johnson, "that you ask yourselves if there was any limit to the power of the transit commission. Apparently there is a qualification. It is embraced in the new words, 'to agreed provisions for service or compensation'."

These added words make it compulsory on the commission in determining the new or increased rate of fare to have due regard not only to a "reasonable average return upon the value of the property used for public service," but also to agreed provisions for service or compensation that the companies may be the present beneficiaries of.

This covers the so-called preferentials. And so, in increasing fares, the commission would obviously be compelled to fix them so as to yield a return to the rapid transit companies not only upon the value of the investment in the city owned subways, but so as to preserve to them in some form or other the benefits of these iniquitous preferentials, which, as is well known, were extorted by the city in 1913 from the city of New York without being based in the remotest way upon actual investment.

"We can answer how our first day's query. There is a limit to the power of the transit commission, a limit harmful to the city and most valuable to the companies."

"The Transit Committee comments that 'this joker has been adapted from the Jenks bill, which the companies themselves drafted and tried to jam through the Legislature last year.'"

The committee also says that "the provision for a temporary increase of fares places the city completely at the mercy of the companies" and the Governor is undertaking compulsory municipal ownership upon terms to be fixed by his proposed State commission whether the city likes those terms or not.

Mr. Curran suggested the following changes:

"My first objection to the bill rests on its plain intention to take from the people of our city every bit of power over local transit that can be legally taken away from us. The bill should be amended to leave with the city, as represented by its local government all power that we now possess.

"The incompetence of the present city administration," Mr. Curran commented, "does not constitute a sufficient emergency, in my opinion, to warrant the State in brushing aside with one gesture the accumulated rights that have come to us in the course of the last fifty years. The ignorance and buffoonery that sit in the City Hall to-day are not necessarily one of our permanent municipal misfortunes. Nor is there any guarantee that our State government will remain at its present high standard. The time may come when we shall have a Board of Estimate of high caliber. The time may also come when the State administration will be changed for the worse."

"My second objection," he resumed, "is that the bill sets forth a definite plan under which the commission is to work, and therefore ties the hands of the commission to this plan in advance of any investigation whatsoever. Who knows whether this plan is right or not until we get the facts?"

Mr. Curran then contends that it is impossible to say before such an investigation whether, for instance, it is wise or desirable to follow the recommendations of the bill for rehabilitation and continuation of all existing lines or whether it would be wise to combine the Brooklyn Rapid Transit Company and the Interborough or whether the city's subway investment should be so rearranged at this time as to take it out of the limits of the city's borrowing plan. He declares that "the unfair and burdensome preferential" is a legacy from such a commission as is proposed.

"My third objection," the letter continues, "is to the power of the commission to increase fares temporarily. The proposed amendment to take out this power—as I read it in the papers—does not take it out.

"Fourthly,—I object to the following clause in its section that gives the commission power to increase car fares with plus regard, among other things, to 'agreed provisions for service or compensation.' What do these words mean?"

Mr. Curran declares that the private traction interests are "awarding" with underlying leases or agreements, such as the lease of the Manhattan elevated lines to the Interborough, to which the foregoing provision might possibly apply. He characterizes the words as the "mysterious" provision which defeated the Jenks bill, and declares the phrase ought to be clarified. Senator Johnson expressed the opinion yesterday that those words referred to the power of the commission to increase fares temporarily.

"My fifth objection," as I read your bill," said Mr. Curran's letter, "is that it takes away from the city government, for all time, the franchise granting power as to street trolleys, and places it in the hands of the transit commission. I am sure you will agree that the future bargaining away of rights in our city streets should be left to the people, and not by a State commission. It is true that the Constitution requires local consent to a new route, but when that consent has been given on such terms as the city deems wise, the commission can thereafter modify these terms in any way that it desires, by agreement with the company, but without any regard whatsoever to the wishes of the city."

In conclusion Mr. Curran says: "Instead of ducking away from the necessity of local approval of the plan (meaning the entire scope of the bill), I urge that you meet it fairly and courageously by putting it to the commission to give us a plan that can be fought for and adopted on its merits. If you do otherwise, I am afraid you will leave us in a litter of law suits with only one definite thing done, to wit: the replacement of the 5 cent fare by a higher fare under this bill."

SPLIT IN 3 FACTIONS BY PRIMARY REPEAL

But Republican Leaders in Albany Are Determined to Revive Conventions.

REPORTS DUE TO-NIGHT

Existing System of Direct Voting Is Declared to Give General Dissatisfaction.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau, Albany, Feb. 27.

Within a few days an attempt will be made in the Legislature to kill or modify the old primary system and to restore nominations by convention. The subject is up again for discussion and once more is making trouble in the Republican ranks.

Republican leaders declared in their platform last autumn that they intended to modify the primary system and restore the old time convention, in part at least. The State organization wants the convention back. There is widespread dissatisfaction with the existing system.

The special committee named by the Legislature to study and report on the subject has completed its task and has split into three factions. The two Democratic members—Senator Walker and Assemblyman Block—will present a minority report to-morrow opposing the abolition of the direct primary. This is amusing to the Legislature in view of the fact that Tammany has been the leading opponent of the primary system now in use.

Assemblyman James H. Caulfield, Jr., of Kings, a Republican member of the special committee, has broken away from his party colleagues and refused to sign the majority report. Further, he has announced that he will make a fight in the Assembly against doing away with the direct primary. He is one of the strong advocates of the system and says he has much support.

Senators Whitley and Ames, Republican members of the committee, will make a second report to the Legislature advocating marked modification in the election system, and that will be put forward by the majority leaders as the policy, although it does not carry the weight of a majority committee report.

The issue will have to be fought out on the floor of the two houses. There is little doubt that the Senate will vote at the first opportunity to restore the convention system. The Assembly leaders say they carry that house for the change, but their claim is disputed by Caulfield and the Democrats who insist they will start an insurgency movement which will upset the leaders.

EIGHTH AVENUE FIRE DRIVES FAMILIES OUT

Causes \$5,000 Damage Before Firemen Succeed.

Fire discovered between the ceiling of Bain's Footwear Company, 975 Eighth avenue, and the flooring of a room on the second floor proved troublesome last night, and because of the smoke twenty-eight families living in an apartment building at 301 West Fifty-seventh street, adjoining, were turned out temporarily. They took shelter from the rain to await the outcome of the fire.

The blaze was soon in check, but it was found necessary to rip away a part of the flooring of the room. The damage is estimated at about \$5,000.

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